

### Advisory Opinions on Consent Agenda - March 2021

Item #	Docket #	Caption	Analysis	Recommendation
G3	2020-807	Advisory opinion request regarding whether the Code of Governmental Ethics (Code) would prohibit Tangipahoa Parish Government employee Jill DeSouge's son, Brody DeSouge, independently or as an employee of KA-JI Construction, from being employed with RAWL or a similarly situated contractor with Tangipahoa Parish while she is employed with the Parish.	Under the specific circumstances presented above, Section 1111C(2)(d) of the Code would prohibit KA-JI Construction, LLC from accepting any compensation from parish contractors since the Accounting Department has a business or financial relationship with RAWL, or the lowest bidder, because her office processes the check. However, neither Section 1111C(2)(d) nor Section 1113A of the Code would prohibit Ms. DeSouge's son from being employed by RAWL or another contractor to haul material to a landfill provided the Parish contractor pays him directly. The contract or subcontract to haul materials to the landfill is not under Ms. DeSouge's agency, the Accounting Department. Additionally, Brody DeSouge, if awarded a subcontract to haul materials to the landfill, may be required to file a disclosure statement in compliance with Section 1114 of the Code.	Adopt draft advisory opinion.
G4	2021-004	Advisory opinion regarding whether the Code of Governmental Ethics would prohibit Joe Magee from serving as the Administrator of the Desoto Parish Emergency Medical Services (EMS) and being appointed to serve on the Desoto Parish Fire District 2 Board.	Since neither EMS nor the Desoto Parish Fire District 2 are "persons", the Code of Governmental Ethics would not prohibit Mr. Magee from serving as the Administrator of EMS and on the Desoto Parish Fire District 2 Board because he does not have a personal substantial economic interest in either of the cooperative endeavor agreements. However, he should be advised that this opinion request may present an issue associated with the Louisiana Dual Office-Holding laws, which are under the jurisdiction of the Attorney General.	Adopt draft advisory opinion.

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G5	2021-028	Advisory Opinion Request from Ashley Deshotels Solomon, Director of Governmental and Ethics Compliance for Jefferson Parish, as to the Department of General Services providing lunch to its employees.	The request presents no issues under the Code. If the lunches are paid for by the Department's Director, he must be present when the meal is consumed.	Adopt the proposed advisory opinion.
G6	2021-055	Advisory opinion request regarding whether the post-employment restrictions in the Code of Governmental Ethics (Code) would prohibit Dr. Tucker, a former Assistant Warden 4 at David Wade Correctional Center (DWCC), from entering into a contract with the Department of Corrections(DOC) after her retirement.	Section 1121(B) of the Code prohibits Dr. Tucker from rendering the same services under contract within two years from January 12, 2021. She is prohibited from contracting with the Department of Corrections to provide the same services that she rendered to David Wade Correctional Center and SHISAP during her public service, such as supervising Dr. Flye.	Adopt proposed advisory opinion.

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G7	2021-057	A Request for an Advisory Opinion, submitted by Twahna Harris, regarding whether the Louisiana Code of Governmental Ethics ("Code") would prohibit the Butterfly Society, a non-profit organization of which she is the Founder and Executive Director, from accepting a \$24,250 contribution from the City of Baton Rouge and Parish of East Baton Rouge, where she is a Council Aide.	Based on the facts presented, the Code dictates the following: The Butterfly Society is not prohibited from accepting the contribution/grant; however, Ms. Harris is prohibited from receiving a thing of economic value for services rendered to the Butterfly Society while it has a relationship with the City of Baton Rouge-Parish of East Baton Rouge. The 82-02D Exception was a Board created exception that no longer applies. If Ms. Harris' surrenders her paid position with the Butterfly Society and volunteers her services, the Butterfly Society can accept the budgeted donation from the City and/or the CARES Act grant.	Adopt the proposed advisory opinion.
G8	2021-059	A Request for an Advisory Opinion, submitted by Christi Disher, regarding whether the Louisiana Code of Governmental Ethics ("Code") would prohibit her broadband internet services company from entering into service agreements with Chicot State Park and, potentially, the Louisiana Office of State Parks (within the Louisiana Department of Culture, Recreation, and Tourism) to provide internet services for all RV campgrounds.	Based on the facts presented, the Code does not prohibit Mrs. Disher's broadband internet services company from entering into a service agreement with Chicot State Park and/or the Louisiana Office of State Parks, which is an office of the Louisiana Department of Culture, Recreation, and Tourism. La. R.S. 42:1113(A) prohibits a public servant or a legal entity in which she has controlling interest from entering into any contract under the supervision or jurisdiction of her agency. In this matter, her agency is Longfellow-Evangeline State Historic Site. As long as the company (or Mrs. Disher) does not enter into any contract or other transactions with Longfellow-Evangeline State Historic Site, the company will not be prohibited from entering into a service agreement for the provision of internet services to RV campgrounds with the Louisiana Office of State Parks.	Adopt the proposed advisory opinion.

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G9	2021-060	Request for an advisory opinion from Fairway Consulting and Engineering regarding whether it can contract to provide general engineering services to the City of Mandeville when the owner's wife serves as the Magistrate of the Mayor's Court as an independent contractor.	There is no violation of the Ethics Code since Rachael Catalanotto's agency being the Mayor's Court is separate from the Department of Public Works, where John Catalanotto's services would be provided as an engineer. Because the agencies are separate, John Catalanotto would not be entering into a contract or transaction under the supervision or jurisdiction of his wife's agency.	Adopt the proposed advisory opinion draft.
G10	2021-068	Advisory Opinion Request from Stephen B. Morris, M.D., a member of the Lafourche Parish Hospital Service District No. 2. Board, regarding leasing an office to Ochsner Clinic Foundation.	The Code does not prohibit Dr. Stephen Morris from entering into a lease agreement with Ochsner since he meets the requirements for the exception contained in Section 1123(18)(a). Dr. Morris is prohibited from participating in any discussion, debate, or vote on any transaction that may come before the District Board in which Ochsner has a substantial economic interest. Additionally, pursuant to La. R.S. 42:1114, Dr. Morris will be required to file with the Board an annual disclosure statement by May 15th of each calendar year disclosing certain financial information related to his lease agreement with Ochsner. A copy of the Disclosure Form will be provided to him.	Adopt the proposed advisory opinion.